United Nations A/61/115

General Assembly

Distr.: General
27 June 2006

Original: English

**Sixty-first session**
Item 123 of the preliminary list*
**Joint Inspection Unit**

# Follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights

## Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Joint Inspection Unit on follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights (JIU/REP/2006/3).

* A/61/50 and Corr.1.

06-44509 (E) 270706

# FOLLOW-UP TO THE MANAGEMENT REVIEW OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

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## ABBREVIATIONS and ACRONYMS

| | |
|---|---|
| APPI | Advisory Panel on Personnel Issues |
| ARP | Advisory Review Panel |
| CBB | Capacity Building Branch (OHCHR) |
| DPKO | Department of Peacekeeping Operations |
| DRC | Democratic Republic of the Congo |
| IMIS | integrated management information system |
| ICT | information and communication technologies |
| IT | Information technology |
| JIU | Joint Inspection Unit |
| MONUC | United Nations Organization Mission in the Democratic Republic of the Congo |
| NCE | national competitive examination |
| NGO | non-governmental organization |
| OHCHR | Office of the United Nations High Commissioner for Human Rights |
| OIOS | United Nations Office of Internal Oversight Services |
| UNOB | United Nations Operation in Burundi |
| UNOG | United Nations Office at Geneva |

# Introduction

1. The Commission on Human Rights (hereinafter called the Commission), at its fifty-eighth session, adopted resolution 2002/80 on the composition of the staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR) (hereinafter called the Office), in paragraph 17 of which it requested "the Joint Inspection Unit to undertake a comprehensive review of the management and administration of the Office of the High Commissioner, in particular, with regard to its impact on the recruitment policies and the composition of the staff, and to submit a report thereon to the Commission at its sixtieth session containing concrete proposals for the implementation of the present resolution". The Economic and Social Council, at its 39th plenary meeting, on 25 July 2002, endorsed the Commission's decision.[1]

2. In 2003 the Joint Inspection Unit (JIU), in response to the Commission's request, prepared a report entitled "Management Review of the Office of the United Nations High Commissioner for Human Rights" (JIU/REP/2003/6), and after consideration of the report at the sixtieth session of the Commission, JIU was further requested "to assist the Commission on Human Rights to monitor systematically the implementation of Commission resolution 2004/73 and to submit a follow-up comprehensive review of the implementation of the decisions of the Commission ... at its sixty-third session and to the General Assembly at its sixty-first session, containing any concrete proposals for corrective action ... "

3. It is to be noted that the Commission's resolution 2004/73 also reiterated

... its request to the Secretary-General to increase further his efforts to improve the composition of the Secretariat by ensuring a wide and equitable geographical distribution of staff in all departments;

> 14. *Considers* that it is necessary to take urgent, concrete and immediate action to change the currently prevailing geographical distribution of staff of the Office in favour of a more equitable distribution of posts, in accordance with Article 101 of the Charter, particularly by recruiting personnel from developing countries and countries with economies in transition, including to senior posts;
>
> 15. *Requests once again* the Secretary-General to take the necessary measures to ensure that particular attention is paid to recruiting personnel from unrepresented and underrepresented Member States, in particular from developing countries and countries with economies in transition ... in the Office of the High Commissioner to ensure an equitable geographical distribution ... "

4. In October 2004, the Chairman and the Executive Secretary of JIU held a meeting with the then newly appointed Deputy High Commissioner and with representatives of administration and human resources management of the Office as part of the follow-up to the implementation of the Commission's resolution. At that time a series of proposals were discussed.

5. Taking into consideration General Assembly resolution 60/251 of 15 March 2006, which "*Decides* to establish the Human Rights Council, based in Geneva, in replacement of the Commission on Human Rights", and that the Council should "[a]ssume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the General Assembly in its resolution 48/141 of 20 December 1993", and mindful that this report should first go to the Commission (now Council) prior to its submission to the General Assembly, the Inspectors are presenting this report to the Council.

6. The structure of the present report is based on the analysis of the status of implementation of the ten recommendations included in JIU/REP/2003/6. These recommendations are fully reflected in the Commission's resolution 2004/73; each recommendation is followed by the Office's comments,[2] which in turn is followed by the Inspectors' views, findings and recommendations as applicable.

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[1] *Official Records of the Economic and Social Council, 2002, Supplement No. 1* (E/2002/99), decision 2002/272.

[2] Letter of 27 February 2006 from the Office and attachment (FIN/Audit related JIU), and letter of 9 May 2006 from the Deputy High Commissioner.

## General conclusion

7. The Inspectors believe that progress has been made in the implementation of a series of recommendations. However, it is regrettable to reconfirm that the issue of the imbalance regarding the geographical distribution of the staff has not really been dealt with to date in a sufficiently vigorous manner. The Inspectors recognize that the High Commissioner has very recently (in February 2006) put in place an action plan that deals, amongst other things, with achieving a more balanced geographical distribution of the staff of the Office. The results of this action plan will only begin to be seen from the end of 2006. The Inspectors wish to point out that the skewed nature of the actual composition of the staff could result in diminishing the effectiveness of the work of the Office if it is perceived to be culturally biased and unrepresentative of the United Nations as a whole.

# ANALYSIS OF RECOMMENDATIONS

**Recommendation 1**

**The new High Commissioner should:**

**(*a*) Reconsider the request to create a post of Chief of Staff to perform the functions detailed in the proposed programme budget document, so as to ensure streamlined management and avoid duplication of functions by the senior management of the Office, which should be exercised by the High Commissioner and his Deputy;**

**(*b*) Review the grading of the Chiefs of Branch with a view to ensuring optimal leadership and consistency of structures, presenting budgetary recommendations, as appropriate.**

*Response from OHCHR:*

8. *Recommendation 1(a)*
*"The High Commissioner has reconsidered the request to create a post of Chief of Staff and decided not to make such a request in light of the two new posts approved by the General Assembly for the 2006-2007 biennium, namely the post of Chief of Administration which has been upgraded to D1 and the Chief of Policy, Planning, Monitoring Evaluation Section also at D1 level. These two posts will de facto cover the function of the proposed Chief of Staff."*

9. *Recommendation 1(b)*
*"OHCHR notes that management reviews have indicated that OHCHR managerial staff are under graded compared to the rest of the Organization. This recommendation has important budgetary implications. OHCHR requested 2 D-2 posts for the 2006-2007 budget in order to strengthen the management of the Branches, and they were approved by the General Assembly. Accordingly, no further review of grading of the chiefs of branch is required."*

10. Inspectors' comments:

OHCHR accepted this recommendation as indicated in the note of the Secretary-General (A/59/65/Add.1). The Inspectors consider that the above recommendation has been implemented and that no further action is required.

**Recommendation 2**

**The organigram of the proposed Capacity Building and Field Operations Branch should be revised by integrating the National Institutions Team within the various geographical Teams in order to provide comprehensive support within each geographical area while assuring the availability of expert advice, as requested.**

*Response from OHCHR:*

*11. "CBB's (Capacity Building Branch) structure has retained a national institutions unit, yet has endeavoured to implement the recommendations of the JIU by ensuring that the work-plan and priority of the unit corresponds to provide comprehensive support and expert advice to each geographical area working through the respective desk officers and corresponding geographic units in the Branch who are assuming responsibility for the implementation of activities."*

*12. This system is being reviewed by the United Nations Office of Internal Oversight Services (OIOS) to determine if comprehensive support is being provided. In the note by the Secretary-General, A/59/65 Add.1, it is mentioned that the National Institutions Team works closely with the geographical teams.*

Inspectors' comments:

13. The Inspectors are satisfied with the above approach, as the National Institutions Team[3] should be fully aware of possible cultural differences and contexts that might be better understood within the geographical teams. In the view of the Inspectors, no further action is needed in this case as the OHCHR proposal meets the spirit of the recommendation.

**Recommendation 3**

**(*a*) Field operations conducted exclusively by OHCHR should be limited to a minimum and to those cases where it has been proved that no alternative exists. The implementation of field operations should be channelled through operational partners whenever possible;**

**(*b*) The Office might consider drawing an action plan detailing measures to develop cooperation with different partners such as non-governmental organizations (NGOs), specialized agencies and United Nations programmes.**

*Response from OHCHR:*

*14. Recommendation 3(a):*
*"The new vision of the High Commissioner as endorsed last year by the General Assembly foresees stronger country engagement and increase in field operations. A major reform exercise designed to better equip OHCHR in implementing this new vision is currently underway. This involves, inter alia, the undertaking of thorough assessment processes involving various stakeholders with a view to defining most appropriate types of field engagement as part of human rights strategies tailored to the country-specific needs. Furthermore, the Office is working on strengthening its geographic desks at headquarters, the establishment of standing capacities for rapid deployment, investigations, country (stand-alone) offices, regional offices, as well as through operational partners such as through DPKO/UNDP missions and United Nations Country Teams in an integrated fashion. A recent example is joint planning with peace missions in Burundi (ONUB) and DRC (MONUC) to develop one human rights plan."*

*15. Recommendation 3(b):*
*"The Office already works closely with different partners, such as NGOs, specialized agencies and United Nations programmes. The 60-day review (Plan of Action), which was completed by 20 May 2005 as requested in the Secretary-General's 2005 report, identified closer partnerships with civil society and United Nations agencies/programmes among the key action points for the Office. An internal Task Force was established to make concrete recommendations as to how to move forwards towards closer partnership with civil society. 2006-2007 biennium budget includes a P-5 Senior Civil Society advisor and a G-6, which together with the existing NGO Liaison Officer, will further develop cooperation with civil society actors."*

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[3] For additional information, see "Management review of the Office of the High Commissioner for Human Rights" (JIU/REP/2003/6), paras. 11 and 28.

Inspectors' comments:

16. OHCHR accepted this recommendation as indicated in the note of the Secretary-General (A/59/65/Add.1). The Inspectors consider that the environment has changed considerably since this recommendation was written. At that time, OHCHR had much more limited resources and experience in field operations. The Inspectors consider that the strengthening of the structure of the Office and the actions taken, such as cooperation with more experienced partners in field operations, meet the spirit of the recommendation. In particular, the cooperation of the Office with DPKO in the context of the new integrated peacekeeping missions must be noted, as in the view of the Inspectors, it is a very positive approach to make human rights operational, which should be an integral part of the activities of other United Nations funds and programmes, as well as of the field activities undertaken by the United Nations Secretariat and United Nations specialized agencies.

17. The implementation of the above recommendation is considered by the Inspectors to be "work in progress". It is expected that the new resources allocated to develop the cooperation of the Office with civil society actors will play an important role in the better integration of human rights within the activities of different partners. In particular, the Inspectors would like to stress the importance of further improving cooperation with other United Nations system organizations and specialized agencies.

18. As per the Commission's resolution 2004/73, the Inspectors intend to continue to monitor closely this and other recommendations under implementation and in particular the capacity of the Office to undertake field operations.

**Recommendation 4**

**The Administrative Section should establish a system to account for the assets of field representations and develop a field administrative procedures manual.**

*Response from OHCHR:*

*19. "On December 2005, guidelines on Procurement, Inventory and Logistic for the field missions were communicated to all OHCHR field missions and are being implemented." "There have been discussions with UNOG for a physical inventory to be conducted at OHCHR following which responsibilities for asset management will be entrusted to OHCHR. The process started yesterday, 8 May [2006], and according to the information received from UNOG, the exercise will take a few months. Notwithstanding the Secretary-General's delegation of the authority for property management to Heads of Department, this authority remains within the purview of UNOG. With regard to field offices, OHCHR has in fact conducted an inventory and have established a database with the information obtained. We intend to conduct annual physical inventories for field offices."*

Inspectors' comments:

20. JIU has reviewed the Administrative Manual for OHCHR and its field offices, in particular the part relating to property management and inventory control, and is satisfied with its content, as well as with the measures taken by the Office to undertake a physical inventory of headquarters and field offices. No further action is required.

**Recommendation 5**

**The Office should develop a clear information technology strategy, taking the strategic plan developed by the Secretariat of the United Nations as a starting point to build upon, with a view**

**to avoiding duplication of effort and waste of resources. The development of the Core Management System is duplicative of IMIS and should not be pursued.**

*Response from OHCHR:*

*21. "The ICT strategy issue has been discussed in the OHCHR ICT Committee. The Committee is aware that the General Assembly has approved a number of ICT strategies for the United Nations in the past and they are applicable to OHCHR. But with responsibilities of the Office increasing over the coming years, the Committee agreed that it would be advantageous to have a comprehensive ICT strategy in OHCHR. The secretariat of the Committee has contacted several consulting firms and is awaiting their proposals. The ICT strategy will be established in the first half of 2006.*

*22. In the beginning of 2005, the Core Management System was carefully redesigned and all duplicated modules were excluded from the system. The newly designed Core Management System has been developed together with the UNOG IMIS Section. IMIS data are replicated to the system everyday, and all functions, including financial reporting, grants management and project management, are complementary to IMIS".*

Inspectors' comments:

23. The Inspectors are satisfied with the answer provided by the Office, in particular with the avoidance of duplicate modules in different systems, and with the cooperation of the Office with the UNOG IMIS Section in order to guarantee the consistent development of information systems. The Inspectors intend to monitor closely and to evaluate the implementation of the Core Management System during the 2008–2009 biennium.

**Recommendation 6**

**The Office should review the mandate of the Advisory Panel on Personnel Issues (APPI) with a view to ensuring that it contributes towards the improvement of the geographical composition of the staff of the Office in general. The composition of the Panel itself should be reviewed so as to reflect a more balanced geographical distribution of its membership.**

*Response from OHCHR:*

*24. "The APPI has been discontinued and been replaced by the Advisory Review Panel (ARP). The purpose of the ARP is to provide oversight and transparency of the selection process for those vacancies not covered by other review body procedures. The workload of this body is not expected to be heavy as, with the completion of the regularization exercise at the end of the year the vast majority of OHCHR vacancies will be filled, regardless of source of funding, through the formal staff selection system and thus be subject to review by the Central Review Bodies. While there are new posts approved for 2006-2007, they will be subject to the procedures for established bodies. As foreseen in the Panel's term of reference its composition is balanced in terms of gender, nationality, geographic composition and the office representation."*

Inspectors' comments:

25. The Inspectors still believe it is important that a more balanced composition of the Advisory Review Panel be established, in accordance with the regulations governing the Panel, in particular those related to its composition, which state that "[i]n the selection of the panel the High Commissioner will

balance the composition in terms of nationality and grades while making every effort to ensure a balanced representation with respect to geography and gender".[4]

26. The current geographical composition of the Panel (comprising six members), is not reflective of the membership of the United Nations as a whole; if the membership of the new Panel is organized according to the five regional groups established by the General Assembly, the composition is as follows:
African States: 0 members (only one alternate member);
Latin American and Caribbean States: 1 member (one additional alternate member);
Asian States: 1 member (one additional alternate member);
Eastern European States: 1 member (no additional alternate member);
Western European and Other States: 3 members (two additional alternate members).

27. In this respect the Inspectors suggest that the High Commissioner review the composition in order to allow each region to have at least one representative on the panel.

**Recommendation 7**

**The Office should compile annually a list of those countries, which are either unrepresented or underrepresented within the Office, and the Secretariat should take that list into consideration when organizing specialized competitive human rights examinations.**

*Response from OHCHR:*

*28. "The NCE exam held in February 2005 was offered to 69 Member States of which 57 chose to participate. It is expected that as a result, OHCHR will have a wider pool of candidates interested in the subject of human rights from which to choose".*

*29. "This recommendation has been studied together with OHRM, which has the Secretariat-wide responsibility to determine the list of countries whose nationals may take part in an NCE, in reference to the status of un/underrepresented countries Secretariat-wide. The second exam took place in February 2005. Interviews are currently being conducted at Headquarters. In the meantime, there were 14 NCE recruitments from eight countries in 2005 such as the Islamic Republic of Iran, Madagascar, Portugal and others."*

Inspectors' comments:

30. It is to be recalled that the Office is part of the United Nations Secretariat, which, in accordance with a number of General Assembly resolutions, submits an official report annually to the Assembly on the composition of staff at the global Secretariat level and not at the departmental level.[5] It is to be noted that this approach might lead to contradictory situations, where a specific country belonging to one of those regions underrepresented within the Office might be one of those overrepresented at the Secretariat level, or vice versa.

31. It is to be noted that despite being a department of the Secretariat, OHCHR should make every effort to improve geographical distribution as requested by the General Assembly, which in paragraphs 32 and 33 of its resolution 57/305 of 15 April 2003, reiterated its request to the Secretary-General "to further increase his efforts to improve the composition of the Secretariat by ensuring a wide and equitable geographical distribution of staff in all departments", and requested the Secretary-General "to

[4] Regulations of the Advisory Review Panel, para. 3.
[5] See the latest report of the Secretary-General on the composition of the Secretariat (A/60/310).

hold the heads of relevant departments accountable for the human resources action plans and to ensure that they in turn take due account of equitable geographical representation when considering candidates on the lists endorsed by the central review bodies, as well as on the rosters, and to report to the General Assembly annually on progress made by departments in the implementation of their respective human resources action plans".

32. The Inspectors note that in the report of the Secretary-General "In larger freedom: towards development, security and human rights for all", the following is stated:

> Achieving geographical balance in OHCHR will remain one of the priorities of the High Commissioner. While the primary consideration in the selection of staff is the need to secure the highest standards of competence, integrity and efficiency, OHCHR will also pay due regard to recruiting and selecting individuals on as wide a geographical basis as possible. In an effort to widen the pool of qualified human rights candidates, it will continue to work with the Office of Human Resources Management to organize specialized competitive human rights examinations, and successful candidates from underrepresented countries will be carefully considered.[6]

33. The Inspectors would like to stress that for the 2005 NCE exercise, only 10 of the 57 countries that participated in the examination process have nationals who passed the written part of the examination process and reached the interview stage. At best, therefore, only candidates from 10 countries could be selected, of which only three are from developing countries. To date the NCE has not helped to improve the geographical distribution issue. While, in the long run the NCE may help to gradually improve the geographical distribution of staff at the entry level, the NCE on its own is not sufficient to improve significantly the overall situation (please see paragraph 37 below). The annex indicates the list of all the countries that were invited to participate in the examination process, those that participated and those that either refused to participate or did not answer.

34. The Inspectors consider that this recommendation is "work in progress". It is suggested that the list of countries, which are either unrepresented or underrepresented within the Office, be updated annually and submitted to OHRM so that it may be taken into consideration when programming future NCEs and used to follow progress.

**Recommendation 8**

**The imbalance in the geographical distribution of the staff of the Office is an issue that can only be solved through a determined management action. Thus, the High Commissioner should prepare an action plan aimed at reducing the current imbalance and indicating specific targets and deadlines to be achieved.**

*Response from OHCHR:*

*35. "The HC took up her position in July 2004 and has sought, since this time to address the issue of geographical distribution in OHCHR; it is one of her priorities. However, she notes that achieving an appropriate geographical balance of staff in the P and above categories will take time. An action plan is in place to improve geographical balance and remains a priority in OHCHR selection and recruitment process for newly approved posts in 2006-2007".*

Inspectors' comments:

36. The tables below show the evolution of the geographical distribution of staff from 1998 to 2005 for posts subject to geographical distribution (table 1) and not subject to geographical distribution (table 2).

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[6] A/59/2005/Add.3, para. 120.

Table 3 shows combined figures for geographical distribution taking into consideration the total number of posts.[7]

## Professional posts subject to geographical distribution

37. The figures below show a very negative evolution of geographical distribution of staff; the percentages for all regions, excluding Western European and Other States, are lower for 2005 than for previous years. Furthermore, the percentage for the Group of Western European and Other States in 2005 (64.2 per cent) is the highest for the last eight years. It is to be noted that the significant increase in the total number of posts subject to geographical distribution, from 87 in 2004 to 106 in 2005, has not been used to improve the imbalance; on the contrary, the situation has worsened.

**Table 1: Posts subject to geographical distribution**

| | 1998 | | 1999 | | 2000 | | 2001 | | 2002 | | 2003 | | 2004 | | 2005 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | % | | % | | % | | % | | % | | % | | % | | % |
| Africa | 11 | 14.5 | 12 | 14.8 | 11 | 14.7 | 10 | 12.8 | 12 | 13.2 | 10 | 11.6 | 9 | 10.3 | 5 | 4.7 |
| Asia | 13 | 17.1 | 15 | 18.5 | 15 | 20 | 13 | 16.7 | 17 | 18.7 | 16 | 18.6 | 16 | 18.4 | 19 | 17.9 |
| LA+C | 5 | 6.6 | 8 | 9.9 | 8 | 10.7 | 9 | 11.5 | 9 | 9.9 | 9 | 10.5 | 9 | 10.3 | 9 | 8.5 |
| EE | 5 | 6.6 | 5 | 6.2 | 5 | 6.7 | 5 | 6.4 | 5 | 5.5 | 6 | 7 | 7 | 8 | 5 | 4.7 |
| WEO | 42 | 55.3 | 41 | 50.6 | 36 | 48 | 41 | 52.6 | 48 | 52.7 | 45 | 52.3 | 46 | 52.9 | 68 | 64.2 |
| ***Total*** | **76** | **100** | **81** | **100** | **75** | **100** | **78** | **100** | **91** | **100** | **86** | **100** | **87** | **100** | **106** | **100** |

*Note:* In the tables the following abbreviations are used

LA + C Latin American and Caribbean States
EE Eastern European States
WEO Western European and Other States

## Professional posts not subject to geographical distribution

38. Of note is the considerable increase in the number of posts under this category from 166 in 2004 to 257 in 2005, and at a first glance, an improvement and a positive trend in their contribution towards achieving a more balanced distribution. However, the figures reported by the Office for 2004 and 2005 are not directly comparable. Figures provided by OHCHR for 2005 (257 staff) include 41 national officers who were not included in previous years. Thus, the actual improvement is considerably smaller than that indicated in table 2a.

**Table 2a: Posts not subject to geographical distribution**

| | 1998 | | 1999 | | 2000 | | 2001 | | 2002 | | 2003 | | 2004 | | 2005 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | % | | % | | % | | % | | % | | % | | % | | % |
| Africa | 32 | 31.1 | 20 | 26.7 | 25 | 26 | 21 | 18.8 | 22 | 16.3 | 24 | 16 | 25 | 15.1 | 41 | 16 |
| Asia | 9 | 8.7 | 4 | 5.3 | 1 | 1 | 6 | 5.4 | 9 | 6.7 | 8 | 5.3 | 11 | 6 | 29 | 11.3 |
| LA+C | 7 | 6.8 | 7 | 9.3 | 8 | 8.3 | 10 | 8.9 | 13 | 9.6 | 15 | 10 | 19 | 11.4 | 45 | 17.5 |
| EE | 1 | 1 | 1 | 1.3 | 1 | 1 | 6 | 5.4 | 6 | 4.4 | 7 | 4.7 | 7 | 4.2 | 11 | 4.3 |
| WEO | 54 | 52.4 | 43 | 57.3 | 61 | 63 | 69 | 61.6 | 85 | 63 | 96 | 64 | 104 | 62.7 | 131 | 51 |
| ***Total*** | **103** | **100** | **75** | **100** | **96** | **100** | **112** | **100** | **135** | **100** | **150** | **100** | **166** | **100** | **257** | **100** |

[7] Figures for 2005 have been taken from the advanced edited version of E/CN.4/2006/103 as provided by OHCHR in its official answer of 9 March 2006 to the JIU request for data.

**Professional posts not subject to geographical distribution (excluding national officers)**

39. If national officers are excluded from table 2a, the actual improvement from 2004 to 2005 is only about a 2 per cent reduction of the percentage corresponding to the Group of Western European and Other States. This region continues to represent more than 60 per cent of the total posts under this category. Table 2b below shows figures excluding national officers.

**Table 2b: Posts not subject to geographical distribution 2004–2005 (excluding national officers)**

| | 2004 | | 2005 | |
|---|---|---|---|---|
| | | % | | % |
| Africa | 25 | 15.1 | 26 | 12 |
| Asia | 11 | 6 | 24 | 11.1 |
| LA+C | 19 | 11.4 | 27 | 12.5 |
| EE | 7 | 4.2 | 8 | 3.7 |
| WEO | 104 | 62.7 | 131 | 60.6 |
| ***Total*** | **166** | **100** | **216** | **100** |

**Total professional posts (includes posts subject and not subject to geographical distribution)**

40. As can be seen, there would appear to be a positive evolution in the reduction of the percentage of representation of the Group of Western European and Other States from 59.3 per cent in 2004 to 54.8 per cent in 2005. However, as stated in the previous paragraph, this reduction comes only from posts not subject to geographical distribution and cannot be compared adequately with previous years as national officers have been included in the data provided for 2005.

**Table 3a. Total posts**

| | 1998 | | 1999 | | 2000 | | 2001 | | 2002 | | 2003 | | 2004 | | 2005 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | % | | % | | % | | % | | % | | % | | % | | % |
| Africa | 43 | 24.0 | 32 | 20.5 | 36 | 21.0 | 31 | 16.3 | 34 | 15.0 | 34 | 14.4 | 34 | 13.4 | 46 | 12.7 |
| Asia | 22 | 12.3 | 19 | 12.2 | 16 | 9.4 | 19 | 10.0 | 26 | 11.5 | 24 | 10.1 | 27 | 10.7 | 48 | 13.2 |
| LA+C | 12 | 6.7 | 15 | 9.6 | 16 | 9.4 | 19 | 10.0 | 22 | 9.7 | 24 | 10.1 | 28 | 11.1 | 54 | 14.9 |
| EE | 6 | 3.4 | 6 | 3.8 | 6 | 3.5 | 11 | 5.8 | 11 | 4.9 | 13 | 5.5 | 14 | 5.5 | 16 | 4.4 |
| WEO | 96 | 53.6 | 84 | 53.8 | 97 | 56.7 | 110 | 57.9 | 133 | 58.8 | 141 | 59.7 | 150 | 59.3 | 199 | 54.8 |
| ***Total*** | **179** | **100** | **156** | **100** | **171** | **100** | **190** | **100** | **226** | **100** | **236** | **100** | **253** | **100** | **363** | **100** |

**Total Professional posts (same as table 3a above but excluding national officers)**

41. Table 3b below reflects in reality the actual changes in geographical distribution if national officers are not included in 2005 as was done in previous years. The percentage of representation of the Group of Western European and Other States goes up from 59.3 per cent in 2004 to 61.8 per cent in 2005 confirming a negative evolution in the balance.

**Table 3b. Total posts (excluding national officers)**

| | 2004 | | 2005 | |
|---|---|---|---|---|
| | | % | | % |
| Africa | 34 | 13.4 | 31 | 9.6 |
| Asia | 27 | 10.7 | 43 | 13.4 |
| LA+C | 28 | 11.1 | 36 | 11.2 |
| EE | 14 | 5.5 | 13 | 4 |
| WEO | 150 | 59.3 | 199 | 61.8 |
| ***Total*** | **253** | **100** | **322** | **100** |

### Geographical distribution of recruitments to Professional posts made by OHCHR in 2005

42. Table 4 further confirms the above analysis of the geographical distribution of the staff. The Group of Western European and Other States accounts for 60 per cent of the total recruitments made during 2005. If only recruitment for posts subject to geographical distribution is considered, this group accounts for 80 per cent of posts.

**Table 4. New recruitments from 1 January 2005 to 31 December 2005**

| Region | Posts subject to geographical distribution | | Posts not subject to geographical distribution | | Total | % |
|---|---|---|---|---|---|---|
| Africa | 1 | 6.7% | 12 | 15.4% | 13 | 14% |
| Asia | 0 | 0.0% | 12 | 15.4% | 12 | 12.9% |
| Latin American & the Caribbean | 2 | 13.3% | 7 | 9.0% | 9 | 9.7% |
| Eastern Europe | 0 | 0.0% | 3 | 3.8% | 3 | 3.2% |
| Western Europe & Other States | 12 | 80.0% | 44 | 56.4% | 56 | 60.2% |
| **Total** | **15** | **100.0%** | **78** | **100.0%** | **93** | **100.0%** |

### Geographical distribution for P-5 and above posts

43. It is to be noted that the Group of Western European and Other States is also overrepresented under this category. This region accounted for 63.6 per cent of the incumbents of posts for grades P-5 and above in 2004. This percentage has not changed significantly in the past year, as it represents 62.5 per cent at the end of 2005. The geographical imbalance is of a greater magnitude for senior positions.

**Table 5. Geographical distribution by grade (P-5 and above)**

| | 2004 | | | 2005 | | |
|---|---|---|---|---|---|---|
| | Subject to | Not subject to | Total | Subject to | Not subject to | Total |
| | % | % | % | % | % | % |
| Africa | 1 5.6% | 2 13.3% | 3 9.1% | 2 10.0% | 2 10.0% | 4 10.0% |
| Asia | 4 22.2% | 0 0.0% | 4 12.1% | 3 15.0% | 2 10.0% | 5 12.5% |
| LA+C | 1 5.6% | 1 6.7% | 2 6.1% | 3 15.0% | 2 10.0% | 5 12.5% |
| EE | 2 11.1% | 1 6.7% | 3 9.1% | 1 5.0% | 0 0.0% | 1 2.5% |
| WEO | 10 55.6% | 11 73.3% | 21 63.6% | 11 55.0% | 14 70.0% | 25 62.5% |
| **Total** | **18** | **15** | **33** | **20** | **20** | **40** |

44. The above tables are self-explanatory. After more than eight years, figures regarding geographical distribution have not changed much. Thus only a strong and continuous commitment from management can help to improve the issue.

45. The Inspectors agree with the High Commissioner's view that this issue can only be resolved in the mid to long term (see paragraph 28 above) but the trend can and should be reversed immediately. Results should be monitored annually and subsequent corrective actions taken. It is recommended to the High Commissioner that the Office prepare annual geographical distribution targets, taking into consideration, to the extent possible, new posts, foreseen retirements and anticipated turnover.

46. The Inspectors consider the status of this recommendation as "work in progress". The action plan is in place, as reflected in E/CN.4/2006/103. Its effects can only be evaluated in the coming years. The Inspectors would like to stress that the increase foreseen in the resources to be allocated to the Office in

the near future represents an important opportunity, which should not be missed, to address the actual imbalance of the geographical distribution of staff.

47. The Inspectors believe that much more can be done; the Office should adopt a more proactive approach to identify and recruit candidates from those countries, which are unrepresented or underrepresented within the Office. The Inspectors urge the High Commissioner to ensure that action is taken without further delay. In this respect, one measure that might be considered is to use the offices of the United Nations resident coordinators, as well as local offices of United Nations and other agencies working in related fields to publicize vacancies, as well as established national rosters of candidates where feasible, as widely as possible. The Human Rights Council should request the Office to adopt all necessary measures to address the issue of the imbalance of the geographical distribution of staff, including the elaboration of annual targets for improvement and annual reporting. The Human Rights Council should also systematically monitor and evaluate this issue every two years.

48. According to Commission resolution 2004/73 (see paragraphs 2–3 above), the Inspectors intend to review and monitor progress in this regard at the end of 2006, based on the High Commissioner's action plan, as well as on the implementation of the additional measures suggested in this report.

**Recommendation 9**

**The Office might offer a transition period, not longer than one year, during which contracts of staff currently under the 200 series of the Staff Rules and performing core functions, would be regularized into 100-series contracts "limited to service with OHCHR". Thereafter, the Office should align its recruitment and contractual policies with those of the Secretariat.**

*Response from OHCHR:*

*49. "OHCHR, together with OHRM, is currently in the process of filling all core posts under the United Nations Secretariat/Galaxy procedure. All staff charged to those posts will be employed under 100 series contracts. The post regularization exercise at headquarters will be finalized by March 2006."*

Inspectors' comments:

50. This exercise had been completed by the end of April 2006 as indicated by the Office.

51. The Inspectors consider that this recommendation has been implemented. No further action required.

**Recommendation 10**

**The Office should check and align its post-classification criteria with those of the Secretariat before any post is advertised, and should discontinue the practice of advertising extra-budgetary posts without first checking the classification criteria with the United Nations Office at Geneva.**

*Response from OHCHR:*

*52. "Since October 2003 all extra-budgetary and regular budget posts have been submitted to the United Nations Office at Geneva Classification officer for evaluation and formal classification prior to any advertisement".*

Inspectors' comments:

53. The Inspectors are satisfied with the answer received and consider that this recommendation has been implemented. No further action is required.

## Annex

**LIST OF COUNTRIES FOR THE 2005 NATIONAL COMPETITIVE RECRUITMENT EXAMINATION (HUMAN RIGHTS).**

A total of 69 countries were invited to participate in the examination process.

List of participating countries (57): Afghanistan, Algeria, Angola, Antigua and Barbuda, Barbados, Bhutan, Botswana, Brunei Darussalam, Central African Republic, China, Comoros, Equatorial Guinea, Gabon, Gambia, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Iraq, Israel, Japan, Kiribati, Kuwait, Liechtenstein, Maldives, Mauritania, Mauritius, Mexico, Micronesia, Moldova, Monaco, Netherlands, Niger, Norway, Oman, Panama, Portugal, Republic of Korea, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Solomon Islands, Somalia, Suriname, Switzerland, Tajikistan, Timor-Leste, Tonga, Tuvalu, United States of America, Uzbekistan, Vanuatu and Viet Nam.

Countries that did not accept the invitation to participate (3): Democratic People's Republic of Korea, Marshall Islands and Nauru.

Countries that did not respond (9): Bahrain, Guinea-Bissau, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Palau, Qatar, Turkmenistan, United Arab Emirates and Yemen.

United Nations A/61/115/Add.1

General Assembly

Distr.: General
29 August 2006

Original: English

**Sixty-first session**
Item 122 of the provisional agenda*
**Joint Inspection Unit**

# Follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights

## Note by the Secretary-General

**Addendum**

*Summary*

The present report contains the comments of the Secretary-General on the recommendations of the Joint Inspection Unit in its report of the follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights (JIU/REP/2006/3). The management review was contained in a previous report of the Joint Inspection Unit (JIU/REP/2003/6). The Office of the High Commissioner for Human Rights, for the most part, agrees with and welcomes the follow-up report of the Joint Inspection Unit, and is implementing a management plan of action to resolve the recommendations considered in progress.

* A/61/150.

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# I. Introduction

1. At its fifty-eighth session, the Commission on Human Rights adopted resolution 2002/80 of 25 April 2002 on the composition of the staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR). In paragraph 17 of that resolution, it requested the Joint Inspection Unit to undertake a comprehensive review of the management and administration of OHCHR, in particular, with regard to its impact on the recruitment policies and the composition of the staff, and to submit a report thereon to the Commission at its sixtieth session containing concrete proposals for the implementation of the resolution. Subsequently, the Economic and Social Council, by decision 2002/272 of 25 July 2002, took note of the resolution and endorsed the decision of the Commission.

2. The report of the Joint Inspection Unit on the management review of OHCHR (JIU/REP/2003/6) was transmitted to the General Assembly in a note by the Secretary-General (A/59/65-E/2004/48). The report contained 30 recommendations, with particular emphasis on recruitment policies and the composition of the staff of the Office. The formal comments of the Secretary-General to the report were issued as an addendum (A/59/65/Add.1-E/2004/48/Add.1). In section XIV of its resolution 59/266, the General Assembly noted that the Joint Inspection Unit would submit a follow-up report on the issue to the General Assembly at its sixty-first session for consideration under relevant agenda items.

3. At its sixtieth session, the Commission on Human Rights, in its resolution 2004/73 on the composition of the staff of OHCHR, welcomed the report of the Joint Inspection Unit, and requested it to assist the Commission to monitor systematically the implementation of the resolution and to submit a follow-up comprehensive review of the implementation of the decisions of the Commission and other United Nations intergovernmental bodies regarding the management, programmes and administration of OHCHR, in particular with regard to their impact on the recruitment policies and the composition of the staff, to the Commission at its sixty-third session and to the General Assembly at its sixty-first session, containing any concrete proposals for corrective action, if required, for the implementation of the relevant intergovernmental bodies' resolutions, including resolution 2004/73.

4. By its resolution 60/251 of 15 March 2006, the General Assembly established the Human Rights Council in replacement of the Commission on Human Rights and decided that the Council would assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights.

5. The report of the Joint Inspection Unit on the follow-up to the management review of OHCHR (JIU/REP/2006/3) contained in A/61/115/ will therefore be submitted to the Human Rights Council.

# II. Comments on specific recommendations

6. The comments below deal only with recommendations still considered in progress by the Inspectors. They do not cover the six recommendations considered implemented or not requiring further action.

**Recommendation 3 (a)**

**Field operations conducted exclusively by OHCHR should be limited to a minimum and to those cases where it has been proved that no alternative exists. The implementation of field operations should be channelled through operational partners whenever possible**

7. The Office of the High Commissioner considers the recommendation contrary to its plan of action (A/59/2005/Add.3) and to the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005). In paragraph 143 of his report, the Secretary-General recognized, inter alia, that a greater human rights field presence during times of crisis would provide timely information to United Nations bodies and, when necessary, draw urgent attention to situations requiring action. Moreover, in the 2005 World Summit Outcome, the General Assembly resolved to strengthen the Office of the United Nations High Commissioner for Human Rights, taking note of the High Commissioner's plan of action, to enable it to effectively carry out its mandate to respond to the broad range of human rights challenges facing the international community, particularly in the areas of technical assistance and capacity-building (resolution 60/1, para. 124).

8. Therefore, OHCHR is of the opinion that recommendation 3 (a) should no longer be considered applicable.

**Recommendation 6**

**The Office should review the mandate of the Advisory Panel on Personnel Issues with a view to ensuring that it contributes towards the improvement of the geographical composition of the staff of the Office in general. The composition of the Panel itself should be reviewed so as to reflect a more balanced geographical distribution of its membership**

9. The Office responded to the Joint Inspection Unit indicating that an advisory review panel had replaced the Advisory Panel on Personnel Issues in 2005. The new panel was an internal mechanism to provide oversight and transparency in the selection process for those vacancies not covered by other review bodies; its procedures mirrored those of the formal staff selection system and its composition was balanced in terms of gender, nationality, geographic composition and substantive representation.

10. The Inspectors commented that it was still important that a more balanced composition of the advisory review panel be established and that the current geographical composition of the six members did not reflect the membership of the United Nations as a whole. The Inspectors suggested that the High Commissioner review the composition to allow each region to have at least one representative on the panel.

11. The Office notes that, following the completion of the post regularization exercise, all OHCHR appointments have been handled through the regular United Nations review bodies. Since all new posts approved for 2006-2007 are subject to procedures for established bodies, the workload of the panel has been considerably reduced and is limited to approximately two cases per month, mainly relating to appointments for less than one year, such as for replacements pending the selection in Galaxy or for 200 series technical cooperation posts in the field.

12. The Office believes that, by establishing the advisory review panel to advise on selection of staff for posts not subject to review by the central review bodies, it has gone well beyond the requirements of the Staff Rules to ensure transparency in the selection process for non-regular recruitment. It is worth noting that this type of review is not envisaged in the United Nations Staff Regulations and Rules.

13. Moreover, the composition of the advisory review panel does fulfil the requirements regarding gender, substantive representation of the Office, nationality and geographic representation, as is indicated in its terms of reference: "In the selection of the panel, the High Commissioner will balance the composition in terms of nationality and grades while making every effort to ensure a balanced representation with respect to geography and gender." The members of the panel were appointed on 5 September 2005 for a period of one year. When appointing new members, the High Commissioner shall once more adhere to the terms of reference of the advisory review panel by making every effort to ensure a balanced representation with respect to grades, geography and gender.

14. The Office is therefore of the opinion that the recommendation requires no further action and should accordingly be closed.

**Recommendation 7**

**The Office should compile annually a list of those countries which are either unrepresented or underrepresented within the Office, and the Secretariat should take that list into consideration when organizing specialized competitive human rights examinations.**

15. As was noted by both the Joint Inspection Unit and OHCHR in the comments to the recommendation, participation in national competitive examinations is determined by the level of representation of a Member State in the Secretariat as a whole under the system of desirable ranges. As such, the examinations do not necessarily help to improve the geographical distribution issue in individual departments of the Secretariat.

16. The Inspectors suggest that OHCHR submit a yearly list of unrepresented and underrepresented Member States to the Office of Human Resources Management to be considered when programming future national competitive examinations. Since the Office is an integral part of the Secretariat, OHCHR staffing statistics are reported and available to the Office of Human Resources Management. The statistics are integrated into the Secretariat reports used to determine geographical representation. However, as it is not within the authority of OHCHR to programme examinations at the Secretariat level, OHCHR does not believe that the recommendation should be considered a work in progress for OHCHR, but rather for the Office of Human Resources Management at Headquarters, as relevant and appropriate.

**Recommendation 8**

**The imbalance in the geographical distribution of the staff of the Office is an issue that can only be solved through a determined management action. Thus, the High Commissioner should prepare an action plan aimed at reducing the current imbalance and indicating specific targets and deadlines to be achieved.**

17. While OHCHR agrees that recommendation 8 is a work in progress, it would like to point out that a comprehensive and proactive action plan reflecting a strong and continuous commitment by management has been put in place (E/CN.4/2006/103). This commitment is also reflected in the High Commissioner's plan of action (A/59/2005/Add.3) and her Strategic Management Plan for 2006-2007. During the deliberations on the proposed programme budget for 2006-2007, the High Commissioner indicated to the Advisory Committee on Administrative and Budgetary Questions that greater emphasis would be placed on achieving a better geographical balance in terms of the new posts for the Office. That commitment was reflected in the report of the Committee and will be addressed by it in the context of the budget for 2008-2009.

18. The High Commissioner has personally paid particular attention to the issue. As a result, of the 10 posts subject to geographical distribution at the level of Assistant Secretary-General and Director, five are now occupied by staff members from countries in transition or developing countries, two by staff members from developed countries, while the remaining three posts are in the process of being filled.

19. The action plan contained in document E/CN.4/2006/103 and its implementation to date reflect the high priority that the High Commissioner is giving to the improvement of geographical balance within the Office. Its primary focus is to expand the pool of qualified candidates from the widest possible range of countries and backgrounds. In order to do so, OHCHR identified target countries that are underrepresented both in the Secretariat as a whole and in OHCHR. Priority consideration is also given to candidates from countries that are within range in the Secretariat but unrepresented or underrepresented in OHCHR.

20. Since March 2006, advertisements for open posts on the United Nations employment website have been placed regularly in widely read periodicals in Africa, Asia and Latin America. OHCHR has compiled a mailing list of approximately 1,270 governmental institutions, international organizations, non-governmental organizations, permanent missions, national human rights institutions and academic institutions willing to act as information relays. Those entities regularly receive information on current vacancies at OHCHR, which they disseminate locally. They are also encouraged to bring the names of interesting candidates from their own rosters to the attention of OHCHR.

21. The Office has started to organize recruitment missions to targeted countries and will continue to undertake recruitment activities in conjunction with important OHCHR conferences and visits by OHCHR officials. The Office is committed to improving its geographical diversity on an ongoing basis and accepts the recommendation as a work in progress.

## III. Conclusion

22. The Office agrees that further efforts are needed to address the issue of geographical distribution. As stated above, steps are being taken to improve the situation in OHCHR but their impact will be tangible only in the medium term. The High Commissioner's formal action plan, as noted by the Inspectors, is being implemented in conjunction with all Secretariat-wide initiatives to improve geographical distribution, and considerable progress has already been made. OHCHR continues to treat the matter as a priority.